

December 14, 2018

The Honorable Ajit Pai, Chairman  
The Honorable Michael O’Rielly, Commissioner  
The Honorable Brendan Carr, Commissioner  
The Honorable Jessica Rosenworcel, Commissioner  
Federal Communications Commission  
455 12<sup>th</sup> Street, Southwest  
Washington, DC, 20544

*RE: MB Docket No 05-311 In the Matter of Implementation of Section 621(a)(1) of the Cable Communications Policy Act of 1984 as Amended by the Cable Television Consumer Protection and Competition Act of 1992*

Dear Chairman Pai,

I am writing in support of the Comments of the Cable Act Preservation Alliance (“CAPA”) and the Telecommunications Board of Northern Kentucky (TBNK) in the Second Further Notice of Proposed Rule Making. I oppose the tentative conclusions the FCC reaches in the proceeding because of their impacts on our community, specifically the damage that it would do to PEG channels and programming across the country.

Our PEG television studio at the TBNK has been producing public service television for Northern Kentucky since 1998, and televises a wealth of programming focused on our Northern Kentucky communities, which have largely been ignored by Cincinnati based Broadcasters for decades. Now starting our third decade, the TBNK has produced a wide array of programming that helps fill the gap for viewers to watch local programming about Northern Kentucky. This local PEG programming has been an asset to the entire community. From its inception, a lot of the promise of cable TV was that it could provide a much better variety of programs and alternatives to the big three national networks - including local programming that would serve local communities. Since our first franchise in 1980, our community leaders have consistently made it a priority to provide Northern Kentucky coverage and programs on the cable system.

The TBNK provides a TV studio, video production equipment, free air-time, training and assistance for our residents, schools, non-profits and community organizations.

Our PEG channels air many local community events, including Fourth of July celebrations, parades, holiday events, music concerts, festivals and county fairs, as well as programming from the Kenton County Library, and the county parks. Local sports fans can watch high school and college football and basketball games, and other sports. The Government channels also air

numerous government meetings each month, as well as Northern Kentucky election forums and an Election Night Results show, educating voters and providing a window for the public into the workings of government. The PEG channels also broadcast programming from the local Chamber of Commerce, and the Covington Business Council, as well as seminars, documentaries and public affairs talk shows with officials from member communities and agencies, and numerous informational programs about initiatives such as the Census and our local GIS initiatives, promoting community services and economic development in our community and helping business and community leaders better inform the public.

This is the kind of local and diverse programming and information that congress envisioned in the PEG provisions of the Cable Act. The FCC's proposed FNPRM violates this intent (which was clearly stated in congress' comments in the congressional record,) by forcing communities to choose between franchise fees and PEG channels, which would crush their operating budgets or cause the shutdown of PEG channels across the country. Having served on our cable board, when we negotiated the first and most recent cable franchises in our community (including a competitive franchise with a second provider since 2009,) I can tell you that this has never been the way the law worked for decades and was never the intent of the Act.

The intent of the PEG provisions of the 1984 Cable Act was to establish local PEG channels in order to serve local community needs and interests, and strengthen our local democratic process - not to hold the PEG channels hostage for franchise fees.

By allowing cable operators to reduce franchise fee support for local communities if they opt for local channels, the FNPRM diminishes the ability of PEG channels to serve communities such as ours. I ask that it not be adopted.

Sincerely,

Tom Litzler  
Former Ft. Wright Mayor